

Message Text

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ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 R

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SECDEF

C O N F I D E N T I A L STATE 085381

EXDIS, MILITARY ADDEES HANDLE AS SPECAT EXCLUSIVE

INFORM CONSULS

EO 11652 GDS

TAGS: CVIS, SREF, VN, US

SUBJECT: CONSULAR INTERVIEWS OF INDO-CHINA EVACUEES

REF: STATE 84228

1. REFTEL REQUESTED CONSULAR OFFICER TO INTERVIEW
UNAUTHORIZED PASSENGERS TO DETERMINE WHETHER THE PASSENGER
HAS A POSSIBLE CLAIM TO DOCUMENTATION AS IMMIGRANT OR
ESTABLISHED STATUS AS REFUGEE. FOLLOWING ADDITIONAL
INFORMATION MAY ASSIST IN MAKING LATTER DETERMINATION.

2. REFUGEE IS DEFINED AS A PERSON OUTSIDE THE COUNTRY OF
HIS NATIONALITY WHO IS UNABLE OR UNWILLING TO RETURN
THERETO OWING TO A WELL-FOUNDED FEAR OF PERSECUTION
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BECAUSE OF RACE, RELIGION, NATIONALITY, POLITICAL OPINION

OR MEMBERSHIP IN PARTICULAR SOCIAL GROUP. IN CONSIDERING UNDOCUMENTED VIETNAMESE ALIENS STRANDED AT MILITARY BASES, WE INTENDED THAT POSTS TAKE A BROAD AND COMPASSIONATE VIEW OF THE TERM REFUGEE. THE DEPARTMENT RECENTLY REQUESTED THAT THE IMMIGRATION SERVICE DEFER FORCIBLE RETURN OF CAMBODIAN AND SOUTH VIETNAMESE IN THE U.S. PENDING CLARIFICATION OF THE SITUATION IN THESE COUNTRIES. WE BELIEVE THAT POLICY MUST BE EXTENDED TO U.S. INSTALLATIONS ABROAD AS WELL.

3. WITH RESPECT TO THOSE CAMBODIANS, VIETNAMESE ARRIVING ON U.S. CARRIER WHO ARE DIRECTLY WITHIN THE JURISDICTION OF HOST GOVERNMENTS AND NOT AT U.S. INSTALLATIONS, HOST GOVERNMENT SHOULD BE ENCOURAGED NOT TO FORCIBLY RETURN THEM TO THEIR COUNTRIES OF ORIGIN. INFORM DEPARTMENT PROVIDING ALL DETAILS IF HOST GOVERNMENT DOES THREATEN FORCIBLE RETURN.

4. REQUIRED CONSULTATION HAS NOT BEEN COMPLETED WITH CONGRESS ON POSSIBLE PAROLE INTO U.S. OF INDO-CHINA REFUGEES. WE ARE UNABLE, THEREFORE, TO USE THIS METHOD OF U.S. ENTRY AT THIS TIME. KISSINGER

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